

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

v.

ISMARIELIS NOLBERTO-CEDENO,
Defendant.

Criminal No. 25-032 (PAD)

SENTENCING MEMORANDUM

At only 19 years old, Ismarielis Nolberto-Cedeno made the mistake of engaging in the offense conduct for which she is paying the consequences in this case. The Guidelines acknowledge that youthful individuals, like Ms. Nolberto, are “more impulsive, risk-seeking and susceptible to outside influence as their brains continue to develop into young adulthood.” USSG § 5H1.1 Significantly, youthful individuals like Ms. Nlberto – now only 23 years old – “also are more amendable to rehabilitation.” *Id.* That is to say, despite her mistakes, there is still hope for her future.

While her actions may be understood better in the context of her youth, she still takes full accountability for her conduct and deeply regrets what she has done. She faces consequences outside of just this case in the immigration context, especially with all of the uncertainty surrounding the issue these days. Additionally, her family has suffered in this process, not knowing what would happen to her. Despite this, her father, Roberto

(a US citizen) has been a constant source of support and love throughout this case, as he always has. Ms. Nolberto has been missing her mother, Iris, since she moved to the US, but it has been especially hard being away from her during the stress and uncertainty of this case.

Despite the aforementioned uncertainty, Ms. Nolberto is still dedicated to building a future for herself. She is currently studying to be a nurse at the Universidad Ana G. Mendez in Cupey, and also works as a waitress to support herself. She is fortunate to also have the support of many family and friends, and knows that no matter what happens she can rely on those in her life to help her get through it. Because of her demonstrated hard work, prosocial support, youth and potential to follow the right path in the future, Ms. Nolberto requests a sentence of one year of probation.¹

I hereby certify that on this date I electronically filed the present motion with the Clerk of the Court using the CM/ECF system, which will send electronic notification of said filing to all parties of record.

Respectfully submitted.

In San Juan, Puerto Rico, this 21st day of April, 2025.

RACHEL BRILL
Federal Public Defender
District of Puerto Rico

¹ The PSR notes that the Guidelines range of probation is 1 to 5 years *if the offense level is 6 or greater*. Docket No. 7, ¶ 53; USSG § 5B1.2(a)(1). While that is technically correct, and for that reason no objections were filed, the PSR also notes that the base offense level in this case is 4, and the total offense level is 0 – both less than 6. Docket No. 7, ¶¶ 18, 27. Therefore, the Guidelines probation is range is from 1 to 3 years. USSG § 5B1.2(a)(2).

S/Joanna LeRoy

Joanna LeRoy

Assistant Federal Public Defender

USDC-PR G03416

241 F.D. Roosevelt Ave.

San Juan, P.R. 00918-2441

(787) 281-4922/ Fax (787) 281-4899

E-mail: Joanna_LeRoy@fd.org